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**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF WISCONSIN  
GREEN BAY DIVISION**

'08 MAR 17 AM 11:19

Kyle Sjöholm  
2459 Doney St.  
Green Bay, WI 54313

Plaintiff,

v.

NCO Financial Systems, Inc  
c/o C T Corporation System, Registered Agent  
208 SO LaSalle St, Suite 814  
Chicago, IL 60604

Defendant.

CASE NO.:

JUDGE:

**08 - C - 233**

**COMPLAINT FOR DAMAGES  
UNDER THE FAIR DEBT  
COLLECTION PRACTICES ACT  
AND OTHER EQUITABLE RELIEF**

**JURY DEMAND ENDORSED HEREIN**

**JURISDICTION AND VENUE**

1. Jurisdiction is founded on 28 U.S.C. §1331 pursuant to the Fair Debt Collection Practices Act (FDCPA), 15 U.S.C. §1692. Venue is proper in this district because this is the judicial district where all of the events giving rise to the cause of action took place.

**FACTS COMMON TO ALL COUNTS**

2. The Plaintiff is a person who incurred a consumer debt primarily for personal, family or household purposes.
3. Defendant is a corporation doing business primarily as a consumer debt collector.
4. Defendant is a debt collector as defined by the FDCPA, 15 U.S.C. §1692a(6).
5. The Plaintiff is a "consumer" as defined by 15 U.S.C. §1692a(3).
6. The debt in question qualifies as a "debt" as defined by 15 U.S.C. §1692a(5).

7. Defendant is either the holder of the debt or was retained by the current holder to collect the debt.
8. Plaintiff filed this action within the time frame permitted under the FDCPA.
9. On or around November 2, 2007, Defendant telephoned Plaintiff's mother ("Mother").
10. Throughout this communication, Defendant spoke to Mother in an abusive and belittling tone.
11. During this communication, Defendant disclosed the existence and nature of the debt and told Mother that Plaintiff was avoiding Defendant.
12. At the time of this communication, Mother was unaware that Plaintiff owed the debt.
13. Defendant has damaged Plaintiff emotionally and mentally and has caused substantial anxiety and stress.
14. Defendant violated the FDCPA.

#### **COUNT ONE**

##### **Violation of the Fair Debt Collections Practices Act**

15. Plaintiff incorporates each of the preceding allegations as if specifically stated herein.
16. The Defendant violated 15 U.S.C. §1692c in that it contacted a third party and disclosed the existence, nature and/or amount of the debt.

#### **COUNT TWO**

##### **Violation of the Fair Debt Collections Practices Act**

17. Plaintiff incorporates each of the preceding allegations as if specifically stated herein.
18. The Defendant violated 15 U.S.C. §1692f in that its actions were unfair and/or unconscionable means to collect a debt.

**COUNT THREE**

**Violation of the Fair Debt Collections Practices Act**

19. Plaintiff incorporates each of the preceding allegations as if specifically stated herein.
20. The Defendant violated 15 U.S.C. §1692d in that defendant used obscene and/or abusive language during its communications in furtherance of debt collection.

**JURY DEMAND**

21. Plaintiff demands a trial by jury.

**PRAYER FOR RELIEF**

22. Plaintiff prays for the following relief:
- a. Judgment against Defendant for actual damages, statutory damages pursuant to 15 U.S.C. §1692k and costs, and reasonable attorney's fees pursuant to 15 U.S.C. §1692k.
  - b. For such other legal and/or equitable relief as the Court deems appropriate.

RESPECTFULLY SUBMITTED,

Legal Helpers, P.C.

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